IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH JAIPUR.

O R D E R

Lajjo & anr.
Vs.
A.D.J. No.1, Deeg, Distt.Bharatpur & Ors.

S.B. CIVIL WRIT PETITION NO.877/2007.

Date of Order:- 22/5/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Satish Khandelwal for the petitioners.

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Learned counsel for the petitioners submits that they were the bonafide purchasers of the property in question which was sold to them by late Shri Kishanlal, who was owner of the property. Tehsildar Kama by an order/notice dated 22/12/2006 (Annexure-6) declaring him trespasser on the property in question. Learned counsel argued that the dispute was with the brother of the deceased also.

Having heard learned counsel for the petitioners and perused the material available on record, I find that all these questions are disputed questions of fact

which cannot be properly appreciated into the remedy of writ jurisdiction. It would be appropriate for the petitioners to file a civil suit seeking declaration of his right and entitlement of successor of late Shri Kishanlal after having been purchased the said property from him.

The writ petition is accordingly dismissed in limine being not maintainable.

(MOHAMMAD RAFIQ), J.

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